



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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LOS ANGELES, CALIFORNIA 90012
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October 9, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
ENTERPRISE PARK POOL BUILDING REPLACEMENT
WILLOWBROOK AREA
APPROVE REVISED PROJECT BUDGET - ADOPT, ADVERTISE, AND AWARD
CONSTRUCTION CONTRACT - AWARD SUPPLEMENTAL AGREEMENT
SPECS. 6770; C.P. 86755
(SECOND DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the revised project budget of \$4,775,000 for the Enterprise Park Pool Building Replacement project.
2. Adopt revised plans and specifications for construction of the Enterprise Park Pool Building Replacement project at an estimated construction cost of \$2,980,000, and instruct the Executive Officer to advertise for bids to be received and opened on November 13, 2007, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
3. Authorize the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a \$10,000 not-to-exceed fee funded by existing project funds and to establish the effective date following determination by the Director of Public Works of the Lowest Responsive and Responsible Bidder.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

4. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid specifications, whether the apparent low bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by your Board for contract award; to award and execute the construction contract, in the form previously approved by County Counsel, to the low responsible bidder meeting all such conditions; and to establish the effective date of the contract upon receipt by the Director of Public Works acceptable Faithful Performance and Payment for Labor and Materials Bonds and evidence of required contractor insurance.
5. Award and authorize the Director of Public Works to execute Supplemental Agreement 1 to Agreement PW 12916 with Frank R. Webb Architects, Inc., to provide additional architect/engineer services for Enterprise Park Pool Building Replacement project for a \$19,100 not-to-exceed fee to be financed by State Proposition 12 per capita program and to establish the effective date following Board approval.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to authorize bidding of revised plans and to authorize the award of a construction contract for the Enterprise Park Pool Building Replacement Project.

The existing 3,800-square-foot, one-story, tilt-up concrete dressing and equipment building was built in 1963 and is in need of major structural upgrading to comply with building code requirements. The Project scope includes the demolition and replacement of the existing dressing/equipment building and renovation of the pool deck and existing swimming pool. Demolition work will be performed by a Job Order Contract (JOC) previously approved by your Board. Construction of the new dressing/equipment building and renovation of the pool and deck will be performed by the Lowest Responsive and Responsible Bidder.

On April 17, 2007, your Board adopted the project plan and specifications and called for advertisement for bids. Your Board also authorized the Director of Public Works (Director) to award and execute the construction contract with the Lowest Responsive and Responsible Bidder if the lowest bid did not exceed \$2,574,000. On May 10, 2007, bids were opened. The lowest bid exceeded the construction budget by \$976,000, and on June 19, 2007, your Board rejected all bids.

Following a review of the project scope and budget and current market conditions, we are now recommending an increase in the project budget of \$1,200,000 and readvertisement of the project plans for the renovation work and new construction. In order to expedite construction of the project, it is further recommended that your Board authorize the Director of Public Works to award and execute a construction contract to the Lowest Responsive and Responsible Bidder (as defined in the FACTS AND PROVISIONS/LEGAL REQUIREMENTS Section of this letter), if the low bid is within the revised estimate of new construction costs of \$2,980,000.

Approval of the recommended actions will also authorize the execution of a consultant agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable schedule, the Director may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next Lowest Responsive and Responsible Bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

The recommended Supplemental Agreement 1 is for additional contract administration during the overlapping period when the JOC demolition work and the general building construction work is proceeding concurrently. We are recommending use of the Board-approved JOC for demolition work and awarding a contract to the Lowest Responsive and Responsible Bidder for new work and will not execute a work order and contract that exceeds the approved revised project budget.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Organizational Effectiveness (Goal 3) and Fiscal Responsibility (Goal 4) by improving operations and investing in public infrastructure to enhance operations, provide better service to the community, and reduce potential liability. By renovating the pool facility, we are providing the community with a safe, sanitary, and an energy and operational efficient facility. Community Services (Goal 6) directs that we improve the quality of life for the residents by offering coordinated services responsive to the community's needs. This project will provide a modern pool facility within the community that this park serves and makes recreational services available to the youth of the area.

FISCAL IMPACT/FINANCING

The total project cost estimate is \$4,775,000, including preparing plans and specifications, plan check fees, construction, change orders, consultant services, miscellaneous expenditures, Civic Art allocation, and County services. The revised Project Schedule and Budget Summary are shown in Attachment A.

The fee for the recommended supplemental agreement is \$19,100.

The proposed project is currently funded by \$3,575,000 of net County cost identified from Proposition 62 funds allocated to unincorporated areas, and \$1,200,000 of current year net County cost. Sufficient appropriation is available in Fiscal Year 2007-08 Capital Project Budget under the Capital Project 86755.

Operating Budget Impact

Based on the current project scope, the Department anticipates one-time start-up costs of \$16,000 in Services and Supplies for a pool alarm system and pool lane lines. In addition, the Department anticipates a \$1,000 increase in annual on-going operating costs for alarm monitoring services. These costs are included in Parks and Recreation's Fiscal Year 2007-2008 Final Adopted Budget approved by the Board on September 25, 2007.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive Responsible Bidder, which is defined as the firm that: 1) submits the bid with the lowest cost; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

A standard supplemental agreement and contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, bidders will be required to attest their willingness to consider Greater Avenues for Independence Program/General Relief Opportunities for Work participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135 (Safely Surrendered Baby Law) and that they may be eligible for Federal Earned Income Credit under the Federal income tax laws.

As required by your Board, the project cost includes 1 percent of design and construction costs to be allocated to the Civic Art Fund per your Board's Civic Art Policy adopted on December 7, 2004.

Bidders will also be required to show full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

ENVIRONMENTAL DOCUMENTATION

On April 4, 2006, your Board found that the project is categorically exempt under CEQA in accordance with CEQA Guidelines, Section 15302, Replacement or Reconstruction, Class 2 (c), and the County of Los Angeles Environmental Procedures and Guidelines, Appendix G, Class 2 (e), adopted by your Board on November 17, 1987.

CONTRACTING PROCESS

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment B).

The contract requires the consultant to pay its employees applicable prevailing wages in accordance with California Labor Code.

On April 24, 2006, your Board authorized an agreement for a \$343,500 not-to-exceed fee. Frank R. Webb Architects, Inc. agreed to provide the additional services for a total \$19,100 not-to-exceed fee. The construction administration portion of the fee will be billed during the construction phase and only after your Board's authorization to proceed with construction.

The negotiated fee has been reviewed by the Department of Public Works (Public Works) and is considered reasonable for the scope of work. The proposed fee is 5.5 percent of the original contract and will increase the total contract amount from \$343,500 to \$362,600. As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website.

Public Works has evaluated and determined that County Code Chapter 2.201 (Living Wage Program) does not apply to this construction contract as this contract is for non-Proposition A services.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

IMPACT ON CURRENT SERVICES

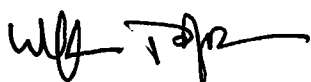
The Enterprise Park Pool complex has been closed during the 2007 swim season and will be under construction during the 2008 swim season. Other pools in close proximity to Enterprise Park are available for the 2008-09 swim season.

The Honorable Board of Supervisors
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CONCLUSION

Please return one adopted copy of this letter to Public Works (Project Management Division II) and the Department of Parks and Recreation.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DLW:DL
JSE:DJT:CY:z

Attachments (2)

c: Auditor-Controller
County Counsel
Office of Affirmative Action Compliance
Department of Public Social Services

October 9, 2007

ATTACHMENT A

**ENTERPRISE PARK POOL BUILDING REPLACEMENT
SPECS. 6770; C.P. 86755**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Project Program	07/14/05*	07/14/05*
Design		
Contract Execution	04/24/06*	04/24/06*
Construction Documents	12/21/06*	12/21/06*
Jurisdictional Approvals	03/21/07*	03/21/07*
Bid Opening	05/10/07*	11/13/07
JOC Demolition NTP	TBD	11/19/07
Award		12/11/07
Construction		
JOC Demolition		02/01/08
Substantial Completion		09/16/08
Acceptance		03/01/09

*Indicates completed activities.

II. PROJECT BUDGET SUMMARY

Budget Category	Current Project Budget	Impact of this Action	Proposed Project Budget
Land Acquisition	N/A	N/A	N/A
Construction			
(a) Construction	\$ 2,340,000	\$ 640,000	\$ 2,980,000
(b) JOC Demolition	\$ 0	\$ 236,800	\$ 236,800
(c) Change Orders	\$ 351,000	\$ 23,200	\$ 374,200
(d) Civic Art	\$ 35,000*	\$ 0	\$ 35,000
Subtotal	\$ 2,726,000	\$ 900,000	\$ 3,626,000
Equipment	\$ 15,000	\$ 0	\$ 15,000
Plans and Specifications	\$ 343,500	\$ 19,100	\$ 362,600
Consultant Services	\$ 36,500	\$ 0	\$ 36,500
Miscellaneous Expenditures	\$ 7,500	\$ 0	\$ 7,500
Jurisdictional Reviews and Plan Check	\$ 27,000	\$ 0	\$ 27,000
County Services	\$ 419,500	\$ 35,000	\$ 454,500
Project Contingency	\$ 0	\$ 245,000	\$ 245,900
TOTAL	\$ 3,575,000	\$ 1,200,000	\$ 4,775,000

* Original 1% Fee Allocation to the Civic Art Fund was \$27,000 and moved to the Civic Art. On March 20, 2007, your Board approved an appropriation adjustment of \$35,000 of Civic Art funds to be moved to the project for the construction of Civic Art at Enterprise Park Pool.

ATTACHMENT B

**ENTERPRISE PARK POOL BUILDING REPLACEMENT
ADOPT, ADVERTISE, AND AWARD
SPECS. 6770; C.P. 86755**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE OF BID OPENING</u>
2	6770	Enterprise Park Pool Building Replacement	\$25	November 13, 2007

Copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803, for the fee stated above. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 2 p.m. on November 13, 2007. Bids will be publicly opened, examined, and declared by Public Works at 2:30 p.m. on this date in Conference Room C, 900 South Fremont Avenue, 1st Floor, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess a B license classification at the time of award. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

PRE-BID CONFERENCE

The Public Works' Project Management Team will hold a prebid conference at 10 a.m. on October 16, 2007, at the project site, located at 13055 Clovis Avenue, Los Angeles, California, to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Mr. David Asato with the Public Works' Project Management Team at (626) 458-2586.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated October 9, 2007.

Specs. 6770

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES